

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

BRANDON WATERS

PLAINTIFF

v.

Civil No. 5:17-cv-05101

DR. KARAS

DEFENDANT

OPINION

Plaintiff, Brandon Waters, filed this action pursuant to 42 U.S.C. §1983. He proceeds *pro se* and *in forma pauperis*.

By Order (ECF No. 20) entered on December 6, 2017, Defendant's Motion to Compel (ECF No. 17) was granted. Plaintiff had failed to provide the Defendant with any discovery responses within the time allowed by Rule 33(b)(3) and Rule 34(b) of the Federal Rules of Civil Procedure. Plaintiff was given until December 18, 2018, to provide Defendant with the discovery responses.

On January 5, 2018, Defendant filed a Motion to Dismiss (ECF No. 21). Defendant asserts that he has still not received any discovery responses from the Plaintiff. Plaintiff has not responded to the Motion to Dismiss. He has not sought an extension of time to respond or otherwise communicated with the Court. No mail has been returned as undeliverable.

Accordingly, the Defendant's Motion to Dismiss (ECF No. 21) is **GRANTED** and this case is **DISMISSED WITHOUT PREJUDICE** for failure to obey an Order of the Court. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED on this 15th day of February 2018.

/s/ P. K. Holmes, III

P. K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE